

**ST. PETERSBURG CITY COUNCIL**

**Meeting of October 17, 2019**

**Report**

**TO:** The Honorable Charles Gerdes, Chair, and Members of City Council

**SUBJECT:** A resolution accepting Addendum No. 14 in an amount not to exceed \$153,194.99 submitted by Skanska USA Building, Inc. (“Skanska”) to the Guaranteed Maximum Price (“GMP”) proposal dated April 3, 2018 for increases in the Net Sculpture Rigging Owner’s Contingency and Pier Approach Owner’s Contingency for site related infrastructure changes; providing that the total GMP for the Pier Approach Project shall not exceed \$27,288,930.99; authorizing the Mayor or his designee to execute the Twelfth Amendment to the Construction Manager at Risk Agreement with a GMP between the City of St. Petersburg, Florida, and Skanska dated January 10, 2017, as amended, to incorporate Addendum No. 14 to the GMP proposal into the agreement, as amended, and to modify the project schedule related to the Gateway and Echelman components; authorizing the City Attorney’s office to make non-substantive changes to the Twelfth Amendment; approving a transfer in the amount of \$33,194.99 from the unappropriated balance of the Pier Echelman Sculpture Donation Fund (1889), resulting from donations from private persons and entities to fund the artwork (including infrastructure needed to support artwork), to the General Capital Improvement Fund (3001); approving a supplemental appropriation in the amount of \$33,194.99 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer, to the Pier Approach Project (15377); and providing an effective date.

**EXPLANATION:** The City of St. Petersburg, Florida (“City”) and Skanska USA Building, Inc. (“Skanska”) executed the Construction Manager at Risk Agreement with a Guaranteed Maximum Price (“GMP”) on January 10, 2017 (“Contract”) for Skanska to provide preconstruction and construction phase services for the Pier Approach Project.

On April 19, 2018, City Council accepted a GMP Proposal dated April 3, 2018 in the amount of \$15,030,610 for construction of the Pier Approach and approved a First Amendment to the Skanska Agreement.

On June 14, 2018, City Council accepted Addendum No. 1 to the GMP Proposal dated April 3, 2018 for the procurement of sixty-four (64) 14” precast concrete piles for the Doc Ford Restaurant in the amount of \$185,239 and the City and Skanska executed the Second Amendment.

On July 19, 2018, City Council accepted Addendum No. 2 to the GMP Proposal for the installation of the piles to support the Doc Ford structure in the amount of \$581,611 and the approval of the Third Amendment.

On August 2, 2018, City Council approved the Fourth Amendment to the Skanska CMAR Agreement adding \$20,000 for preconstruction phase services for the Janet Echelman net sculpture infrastructure installation.

On August 23, 2018, City Council accepted Addendum No. 3 and approved the Fifth Amendment to the Skanska CMAR Agreement for the Doc Ford Restaurant structural support system in the amount of \$1,085,737.

On October 4, 2018, City Council accepted Addendum No. 4 and approved the Sixth Amendment to the Skanska CMAR Agreement for the replacement of approximately 696 linear feet of existing seawall at the North Yacht basin in the amount of \$2,964,769.

On January 3, 2019, City Council accepted Addendum No. 5 for the complete Doc Ford Core & Shell in the amount of \$1,835,532 and the City executed the Seventh Amendment. March 14, 2019 City Council accepted Addendum No. 6 for fabrication and installation of the market kiosks in the amount not to exceed \$262,612; Addendum No. 7 for the installation of the JEI net sculpture City Infrastructure in the not to exceed amount of \$1,403,491; and Addendum No. 8 to increase the owner's contingency in the not to exceed amount of \$200,000 and the City executed the Eighth Amendment.

On April 18, 2019, City Council accepted Addendum No. 9 for installation of the Earthscape Play Equipment and safety surfacing in the amount not to exceed \$478,824 and Addendum No. 10 for the emergency repairs to two sections of adjoining seawalls in the not to exceed amount of \$778,419 and the City executed the Ninth Amendment.

On July 11, 2019, City Council accepted Addendum No. 11 for the construction of the Gateway improvements in the amount of \$1,654,452 and Addendum No. 12 for an increase in the Owner's Contingency of \$200,000.

On September 5, 2019, City Council accepted Addendum No. 13 for construction of the low voltage underground infrastructure in the amount of \$474,440.

Acceptance of Addendum No. 14 provides for the increase in the Echelman Net Sculpture owner's contingency in the amount of \$33,194.99. This is the remaining amount that has been collected from private donors and is requested to cover the costs of a series of post tensioning and adjustments to the net sculpture following the hoisting and rigging over a period of two months. The increase in Pier Approach Owner's Contingency in the amount of \$120,000 is requested to offset owner contingency uses authorized on the Pier Approach. These funds are available within the overall Pier Approach project contingency.

In addition, approval of the Twelfth Amendment provides for revisions to the project schedule (i) to change the substantial completion date for the Gateway component to February 5, 2020 and (ii) to change the substantial completion date for the Echelman net sculpture infrastructure to February 10, 2020. Changes to the substantial completion for the Gateway coincides with the substantial completion date indicated in Addendum No. 11 authorizing the Gateway construction and the change of the substantial completion date for the Echelman net sculpture infrastructure is due to the time required for the tensioning of the net sculpture.

The revised GMP for the Project includes the following:

Pier Approach GMP Proposal – First Amendment	\$15,030,610
Addendum No 1 Doc Ford Pile Procurement	\$ 185,239
Addendum No. 2 Doc Ford Pile Installation	\$ 581,611
Addendum No. 3 Doc Ford Structure Only	\$ 1,085,737
Addendum No. 4 North Basin Seawall	\$ 2,964,769
Addendum No. 5 Doc Ford Full Core & Shell	\$ 1,835,532
Addendum No. 6 Fabrication and Installation of Market Kiosks	\$ 262,612
Addendum No. 7 Construction of JEI Infrastructure	\$ 1,403,491
Addendum No. 8 Increase to Owner’s Contingency	\$ 200,000
Addendum No. 9 Installation of Play Equipment and Surfacing	\$ 478,824
Addendum No. 10 Seawall Repairs at Central & North Basins	\$ 778,419
Addendum No. 11 Construction of Gateway	\$ 1,654,452
Addendum No. 12 Increase to Owner’s Contingency	\$ 200,000
Addendum No. 13 Low-voltage underground infrastructure	\$ 474,440
Addendum No. 14 Net sculpture rigging & owner contingency	<u>\$ 153,194.99</u>
Revised Total GMP for Pier Approach Project	\$27,288,930.99

After approval by City Council, the City and Skanska will execute the Twelfth Amendment to the contract.

**RECOMMENDATION:** Administration recommends City Council approval of the attached resolution accepting Addendum No. 14 in an amount not to exceed \$153,194.99 submitted by Skanska USA Building, Inc. (“Skanska”) to the Guaranteed Maximum Price (“GMP”) proposal dated April 3, 2018 for increases in the Net Sculpture Rigging Owner’s Contingency and Pier Approach Owner’s Contingency for site related infrastructure changes; providing that the total GMP for the Pier Approach Project shall not exceed \$27,288,930.99; authorizing the Mayor or his designee to execute the Twelfth Amendment to the Construction Manager at Risk Agreement with a GMP between the City of St. Petersburg, Florida, and Skanska dated January 10, 2017, as amended, to incorporate Addendum No. 14 to the GMP proposal into the agreement, as amended, and to modify the project schedule related to the Gateway and Echelman components; authorizing the City Attorney’s office to make non-substantive changes to the Twelfth Amendment; approving a transfer in the amount of \$33,194.99 from the unappropriated balance of the Pier Echelman Sculpture Donation Fund (1889), resulting from donations from private persons and entities to fund the artwork (including infrastructure needed to support artwork), to the General Capital Improvement Fund (3001); approving a supplemental appropriation in the amount of \$33,194.99 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer, to the Pier Approach Project (15377); and providing an effective date.

**COST/FUNDING/ASSESSMENT INFORMATION:** A portion of the funding has been previously appropriated in the General Capital Improvement Fund (3001), Pier Approach Project (15377), additional funding in the amount of \$33,194.99 will be available after a transfer from the unappropriated balance of the Pier Echelman Sculpture Donation Fund (1889), resulting from donations from private persons and entities to fund the artwork (including infrastructure needed to support artwork), to the General Capital Improvement Fund (3001), and a supplemental appropriation in the amount of \$33,194.99 from the increase in the unappropriated balance of the General Capital Improvement Fund (3001) resulting from the above transfer, to the Pier Approach Project (15377).

**ATTACHMENTS:** Resolution  
Addendum No. 14

**APPROVALS:**   
Administrative  
for CT

  
Budget

RESOLUTION NO. 2019- \_\_\_\_\_

A RESOLUTION ACCEPTING ADDENDUM NO. 14 IN AN AMOUNT NOT TO EXCEED \$153,194.99 SUBMITTED BY SKANSKA USA BUILDING, INC. ("SKANSKA") TO THE GUARANTEED MAXIMUM PRICE ("GMP") PROPOSAL DATED APRIL 3, 2018 FOR INCREASES IN THE NET SCULPTURE RIGGING OWNER'S CONTINGENCY AND PIER APPROACH OWNER'S CONTINGENCY FOR SITE RELATED INFRASTRUCTURE CHANGES; PROVIDING THAT THE TOTAL GMP FOR THE PIER APPROACH PROJECT SHALL NOT EXCEED \$27,288,930.99; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE TWELFTH AMENDMENT TO THE CONSTRUCTION MANAGER AT RISK AGREEMENT WITH A GMP BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA, AND SKANSKA DATED JANUARY 10, 2017, AS AMENDED, TO INCORPORATE ADDENDUM NO. 14 TO THE GMP PROPOSAL INTO THE AGREEMENT, AS AMENDED, AND TO MODIFY THE PROJECT SCHEDULE RELATED TO THE GATEWAY AND ECHELMAN COMPONENTS; AUTHORIZING THE CITY ATTORNEY'S OFFICE TO MAKE NON-SUBSTANTIVE CHANGES TO THE TWELFTH AMENDMENT; APPROVING A TRANSFER IN THE AMOUNT OF \$33,194.99 FROM THE UNAPPROPRIATED BALANCE OF THE PIER ECHELMAN SCULPTURE DONATION FUND (1889), RESULTING FROM DONATIONS FROM PRIVATE PERSONS AND ENTITIES TO FUND THE ARTWORK (INCLUDING INFRASTRUCTURE NEEDED TO SUPPORT ARTWORK), TO THE GENERAL CAPITAL IMPROVEMENT FUND (3001); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$33,194.99 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE GENERAL CAPITAL IMPROVEMENT FUND (3001), RESULTING FROM THE ABOVE TRANSFER, TO THE PIER APPROACH PROJECT (15377); AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City of St. Petersburg, Florida ("City") and Skanska USA Building, Inc. ("Skanska") entered into a Construction Manager at Risk Agreement with a Guaranteed Maximum Price ("GMP") on January 10, 2017, for Skanska to provide preconstruction and construction phase services for the Pier Approach Project; and

**WHEREAS**, on April 19, 2018, the City and Skanska executed the First Amendment to (i) incorporate the GMP Proposal in an amount not to exceed \$15,030,610 dated April 3, 2018, into agreement, (ii) add additional preconstruction phase services, (iii) revise the disadvantaged worker and apprentices provision to clarify good faith efforts and retainer, and (iv) modify other necessary provisions; and

**WHEREAS**, on June 14, 2018, the City and Skanska executed the Second Amendment to increase the GMP by an additional \$185,239 for pile procurement for the Doc Ford's Restaurant; and

**WHEREAS**, on July 19, 2018, the City and Skanska executed the Third Amendment to increase the GMP by an additional \$581,611 for installation of the piles procured for the Doc Ford's Restaurant; and

**WHEREAS**, on August 2, 2018, the City and Skanska executed the Fourth Amendment for Skanska to provide additional preconstruction phase services related to the Janet Echelman net sculpture for an amount not to exceed \$20,000; and

**WHEREAS**, on September 7, 2018, the City and Skanska executed the Fifth Amendment to increase the GMP by an additional \$1,085,737 for the installation of the structural system for the Doc Ford's Restaurant and to revise the project schedule; and

**WHEREAS**, on October 4, 2018, the City and Skanska executed the Sixth Amendment to increase the GMP by an additional \$2,964,769 for the construction of the new North Yacht Basin Seawall adjacent to the New St. Pete Pier™; and

**WHEREAS**, on January 3, 2019, the City and Skanska executed the Seventh Amendment to increase the GMP by an additional \$1,835,532 for completion of the construction of the Doc Ford's Full Core & Shell and to revise the project schedule; and

**WHEREAS**, on March 14, 2019, the City and Skanska executed the Eighth Amendment to increase the GMP by an additional \$1,866,103 for (i) fabrication and installation of the market kiosks, (ii) an increase in the amount of the City's contingency, and (iii) construction of the City infrastructure required to support, install and illuminate Janet Echelman Inc. (JEI) net sculpture; and

**WHEREAS**, on April 19, 2019, the City and Skanska executed the Ninth Amendment to increase the GMP by an additional \$1,257,243 for (i) installation of the play equipment and safety surfacing and (ii) repairs to seawalls in the North and Central Yacht Basins; and

**WHEREAS**, on July 11, 2019, the City and Skanska executed the Tenth Amendment to increase the GMP by an additional \$1,854,452 (i) for the construction of the Gateway landscape and hardscape improvements and (ii) to increase the owner's contingency; and

**WHEREAS**, on September 5, 2019, the City and Skanska executed the Eleventh Amendment the City and Skanska to increase the GMP by an additional \$474,440 for construction of the low voltage underground infrastructure to serve the new St. Pete Pier™; and

**WHEREAS**, the City and Skanska desire to execute the Twelfth Amendment to increase the GMP (as previously increased) by an additional \$153,194.99 for increases in the net sculpture rigging owner's contingency and Pier Approach owner's contingency for site related infrastructure changes (for a total GMP for the Pier Approach Project not to exceed \$27,288,930.99) and to modify the Project schedule related to the Gateway and Echelman components.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of St. Petersburg, Florida, that Addendum No. 14 in an amount not to exceed \$153,194.99 submitted by Skanska USA Building, Inc. ("Skanska") to the Guaranteed Maximum Price ("GMP") proposal dated April 3, 2018 for increases in the net sculpture rigging owner's contingency and Pier Approach owner's contingency for site related infrastructure changes is hereby accepted.

**BE IT FURTHER RESOLVED** that the total GMP for the Pier Approach Project shall not exceed \$27,288,930.99.

**BE IT FURTHER RESOLVED** that the Mayor or his designee is authorized to execute the Twelfth Amendment to the Construction Manager at Risk Agreement with a GMP between the City of St. Petersburg, Florida, and Skanska dated January 10, 2017, as amended, to incorporate Addendum No. 14 to the GMP proposal into the agreement, as amended, and to modify the Project schedule related to the Gateway and Echelman components.

**BE IT FURTHER RESOLVED** that the City Attorney's Office is authorized to make non-substantive changes to the Twelfth Amendment.

**BE IT FURTHER RESOLVED** that there is hereby approved the following transfer for FY20:

Pier Echelman Sculpture Donation Fund (1889)

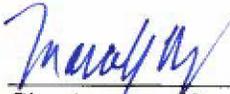
Transfer to: General Capital Improvement Fund (3001) \$33,194.99

**BE IT FURTHER RESOLVED** that there is hereby approved from the increase in the unappropriated balance of the General Capital Improvement Fund (3001), resulting from the above transfer, the following supplemental appropriation for FY20:

General Capital Improvement Fund (3001)  
Pier Approach Project (15377) \$33,194.99

This resolution shall become effective immediately upon its adoption.

APPROVALS:

  
\_\_\_\_\_  
City Attorney (Designee)

  
\_\_\_\_\_  
Brejesh Prayman, P.E., ENV SP  
Engineering and Capital Improvements Director

  
\_\_\_\_\_  
Budget 00474039

September 16, 2019

**Mr. Brejesh Prayman, PE**  
Engineering and Capital Improvements Director  
City of St. Petersburg  
One 4<sup>th</sup> Street N.  
St. Petersburg, FL 33701

**Re: St. Petersburg Pier Approach  
Pier Approach GMP Addendum #14 – Additional Owner's Contingency Allowance  
& Schedule Modifications**

Dear Mr. Prayman:

We are pleased to provide you with this proposal to increase the Owner's Contingency Allowance and Schedule Modifications for the St. Petersburg Pier Approach project.

- **Increase Owner's Contingency for the Net Sculpture Rigging: \$33,194.99**
- **Increase Owner's Contingency for Pier Approach Site related Infrastructure changes: \$120,000.00**
- **Add separate Substantial Completion dates for the completion of the Gateway work and the completion of the Net Sculpture**
  1. **Substantial Completion of the Gateway February 5<sup>th</sup>, 2020**
  2. **Substantial Completion of the Net Sculpture February 10<sup>th</sup>, 2020**

If you have questions please do not hesitate to contact us.

Sincerely,

SKANSKA USA BUILDING INC.



Chuck Jablon  
Account Manager

Cc: Kenneth E. Duty – Project Executive  
Johnathan Meese – Preconstruction Director

Echman (Net Sculpture)		195d	79d	14-May-19 A	10-Feb-20
SK2639	Install Deep Foundations	20d	0d	14-May-19 A	22-May-19 A
SK2641	Install Anchor Bolts & Inspect	5d	0d	14-May-19 A	28-May-19 A
SK2840	Install Pylons	5d	5d	15-Oct-19	21-Oct-19
SK3269	Grout Fill Pylons	5d	5d	18-Oct-19	24-Oct-19
SK3270	Grout Fill Base Plates & Shear Keys	1d	1d	25-Oct-19	25-Oct-19
SK3314	E&H Welding 1/2" Cap Plates At Tops of Pylons	3d	3d	28-Oct-19	30-Oct-19
SK2843	Prep Net & Cables For Sculpture	5d	5d	20-Nov-19	26-Nov-19
SK2644	Hoisting Sculpture & Securing	5d	5d	27-Nov-19	05-Dec-19
SK3315	Net Relaxation	10d	10d	06-Dec-19	19-Dec-19
SK3316	First Tensioning	3d	3d	20-Dec-19	26-Dec-19
SK3317	Next Relaxation	20d	20d	27-Dec-19	27-Jan-20
SK3318	Final Tensioning	3d	3d	28-Jan-20	30-Jan-20
SK3271	Lighting Programming	5d	5d	31-Jan-20	06-Feb-20
SK3319	Final Anchorage Cable Fabrication	2d	2d	31-Jan-20	03-Feb-20
SK3320	Final Anchorage Cable Delivery	2d	2d	04-Feb-20	05-Feb-20
SK3321	Final Anchorage Cable Installation	3d	3d	06-Feb-20	10-Feb-20

Gateway		140d	103d	15-Jul-19 A	05-Feb-20
<b>By City</b>		28d	0d	15-Jul-19 A	21-Aug-19 A
SK3346	Salvage Median Trees As Required - Gateway	10d	0d	15-Jul-19 A	19-Jul-19 A
SK3344	Remove Existing Electrical Light Poles - Gateway	3d	0d	18-Jul-19 A	30-Jul-19 A
SK3340	Deactivate & Cover Traffic Light Signals - Gateway	5d	0d	22-Jul-19 A	22-Jul-19 A
SK3342	Cut & Cap Existing Irrigation - Gateway	1d	0d	22-Jul-19 A	22-Jul-19 A
SK3341	Remove Traffic Mast & Signals - Gateway	10d	0d	01-Aug-19 A	14-Aug-19 A
SK3343	Cut & Cap Existing Electrical - Gateway	1d	0d	01-Aug-19 A	01-Aug-19 A
SK3345	City Relocate Utilities As Required - Gateway	15d	0d	01-Aug-19 A	21-Aug-19 A
SK2667	Demo Area - Remove Light Bollards - Gateway	5d	0d	05-Aug-19 A	09-Aug-19 A
<b>Gateway Construction</b>		135d	103d	22-Jul-19 A	05-Feb-20
SK2663	Temporary Fencing - Gateway	2d	0d	22-Jul-19 A	22-Jul-19 A
SK2664	Tree Protection - Gateway	2d	0d	22-Jul-19 A	22-Jul-19 A
SK3068	Install MOT - Gateway	1d	0d	22-Jul-19 A	22-Jul-19 A
SK2665	Setup Erosion Control - Gateway R	1d	0d	24-Jul-19 A	24-Jul-19 A
SK3339	Water Man Offset - Gateway	5d	0d	24-Jul-19 A	31-Jul-19 A
SK2666	Demo Trees - Gateway	2d	0d	01-Aug-19 A	16-Aug-19 A
SK2668	Hardscape & Above Ground Demolition - Gateway	5d	15d	02-Aug-19 A	25-Sep-19
SK3059	Underground Electrical Rough For Lighting & Power - Gateway	10d	10d	05-Sep-19	18-Sep-19
SK2669	Install New UG Utilities & Adjust Existing - Gateway	25d	25d	06-Sep-19	10-Oct-19
SK1754	Plant Trees/Shrubs - Gateway	5d	5d	03-Oct-19	09-Oct-19
SK2990	Irrigation - Gateway	10d	10d	10-Oct-19	24-Oct-19
SK2670	Rough Grade Area To +/- Tenth - Gateway	3d	3d	11-Oct-19	16-Oct-19
SK2671	F/R/P New C+G & Tie To Existing - Gateway	7d	7d	17-Oct-19	25-Oct-19
SK3251	F/R/P Rebuild Crosswalk Ribbon Curb	5d	5d	17-Oct-19	23-Oct-19
SK2672	F/R/P New Foundations - Gateway	3d	3d	28-Oct-19	30-Oct-19
SK2673	F/R/P New 6" SOG Sidewalk North Blocking Out New Planters - Gateway	15d	15d	31-Oct-19	20-Nov-19
SK2674	F/R/P 6" SOG Sidewalk South - Gateway	10d	10d	21-Nov-19	06-Dec-19
SK2675	F/R/P Handicap Ramps North & South Sidewalks - Gateway	5d	5d	09-Dec-19	13-Dec-19
SK3058	Irrigation Sleeves - Gateway	3d	3d	09-Dec-19	11-Dec-19
SK2676	Plant Trees/Shrubs in Sidewalks Areas - Gateway	10d	10d	12-Dec-19	27-Dec-19
SK2677	Place Base For Asphalt - Gateway	4d	4d	30-Dec-19	03-Jan-20
SK2992	Site Lighting Poles Installation - Gateway	10d	10d	30-Dec-19	13-Jan-20
SK2678	Asphalt Binder Coarse	1d	1d	06-Jan-20	06-Jan-20
SK2696	M&B Bayshore Drive	1d	1d	07-Jan-20	07-Jan-20
SK2679	Asphalt Wear Coarse	1d	1d	08-Jan-20	08-Jan-20
SK2701	Resurface Bayshore Drive	1d	1d	08-Jan-20	08-Jan-20
SK2681	Install Striping & Signage - Gateway	3d	3d	09-Jan-20	13-Jan-20
SK2695	New Striping Bayshore Drive	2d	2d	09-Jan-20	10-Jan-20
SK2682	Remove Temporary Fencing Open To Public - Gateway	1d	1d	14-Jan-20	14-Jan-20
SK3067	Lighting Fixtures Installation - Gateway	10d	10d	14-Jan-20	28-Jan-20
SK3060	Electrical Trimout - Gateway	5d	5d	27-Jan-20	31-Jan-20
SK3062	Punch / Final Inspections - Gateway	3d	3d	03-Feb-20	05-Feb-20
SK3063	Substantial Completion - Gateway	0d	0d		05-Feb-20